

REMARKS

In light of the following remarks, reconsideration of the present application is requested. Claims 1, 4-8, 19, and 27-31 are pending in the application. Claims 1, 19, and 31 are amended. Claims 26 and 32 are cancelled. Claims 2, 3, 9-18, and 20-25 were previously cancelled.

35 U.S.C. §102 Rejections

Claims 1, 4-6, 8, 19, and 26-32 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2004/0126095 to Tsumagari et al. ("Tsumagari"). The Applicants respectfully traverse.

Initially, the Applicants submit Tsumagari does not anticipate or render claim 1 obvious at least because Tsumagari fails to disclose or suggest "setting a display mode from among a plurality of display modes, the plurality of display modes including at least a first mode for reproducing AV data, a second mode for reproducing both AV data and enhanced data, and a third mode for reproducing enhanced data," as recited in claim 1.

Tsumagari discloses an apparatus for using one of a DVD disk and an enhanced DVD disk. As shown in FIG. 2, the DVD disk includes a DVD video area which includes DVD video contents. FIG. 3 illustrates the structure of the enhanced DVD disk. The enhanced DVD disk is similar to the DVD disk except that the enhanced DVD disk includes enhanced navigation (ENAV) in addition to DVD video contents. As explained in paragraph [0036] of Tsumagari's disclosure, the ENAV contents are configured to include data such as voice, still picture, text, and motion picture and information for controlling the reproduction of these data.

Paragraphs [0123] to [0133] illustrate various operations associated with Tsumagari's optical disk apparatus. Tsumagari discloses two type of video disk reproduction, namely DVD video disk reproduction and enhanced DVD video disk reproduction. Whether the DVD video disk reproduction or the enhanced DVD video disk reproduction is carried out, is dependent upon the value of the parameter P_CFG_ENAV. In the event P_CFG_ENAV = 0b, only the video disk reproduction is carried out. In the event P_CFG_ENAV = 1b, enhanced video disk reproduction is carried out. Therefore, Tsumagari discloses a method in which only two modes of reproduction (video disk reproduction and enhanced DVD video disk reproduction) can be carried out. However, claim 1 recites, *inter alia*, "setting a display mode from among a plurality of display modes, the plurality of display modes including at least a first mode for reproducing AV data, a second mode for reproducing both AV data and enhanced data, and a third mode for reproducing enhanced data," as recited in claim 1. Because Tsumagari's disclosure is limited to an embodiment which discloses only two modes of reproduction, the Applicants submit Tsumagari cannot be relied on as anticipating or rendering obvious the first through third display modes of claim 1.

For at least the reasons given above, the Applicants respectfully request the rejection of claim 1, and all claims which depend thereon, under 35 U.S.C. § 102(b) as being anticipated by Tsumagari be withdrawn.

For somewhat similar reasons the Applicants respectfully request the rejection of claim 19, and all claims which depend thereon, under 35 U.S.C. § 102(b) as being anticipated by Tsumagari be withdrawn.

35 U.S.C. §103 Rejections

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsumagari in view of U.S. Patent 7,116,894 to Chatterton ("Chatterton"), in further in view of U.S. Patent Publication 2004/0091249 to Mekenkamp et al. ("Mekenkamp"). The Applicants respectfully traverse.

As argued above, the Applicants submit Tsumagari does not disclose or suggest, at least, "setting a display mode from among a plurality of display modes, the plurality of display modes including at least a first mode for reproducing AV data, a second mode for reproducing both AV data and enhanced data, and a third mode for reproducing enhanced data," as recited in claim 1. Additionally, the Applicants submit the instant features are not disclosed by either Mekenkamp or Chatterton. Therefore, the Applicants submit that even if one skilled in the art did combine Tsumagari with Mekenkamp and Chatterton, the combination would not disclose the instant features. Accordingly, the Applicants submit the combination of Tsumagari, Mekenkamp, and Chatterton cannot render claim 1 obvious. Furthermore, the Applicants submit claim 7 is nonobvious over the combination of Tsumagari, Mekenkamp, and Chatteron at least by virtue of its dependency on claim 1.

For at least the reasons given above, the Applicants respectfully request the rejection of claim 7 under 35 U.S.C. § 103 as being obvious over the combination of Tsumagari, Mekenkamp, and Chatterton be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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